

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**ONE YEAR PLAN AMENDMENT**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 10-A-16-PA      **Related File Number:** 10-A-16-RZ  
**Application Filed:** 6/27/2016      **Date of Revision:**  
**Applicant:** RUFUS H. SMITH JR. & COMPANY

## PROPERTY INFORMATION

**General Location:** Southeast side Deane Hill Dr., northeast side Winchester Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 120 E D 001 & 002      **Jurisdiction:** City  
**Size of Tract:** 5.1 acres  
**Accessibility:** Access is via Deane Hill Dr., a major collector street with 18' of pavement width within 50' of right-of-way, or Winchester Dr., a local street with 26' of pavement width within 50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residences  
**Surrounding Land Use:**  
**Proposed Use:** Residential development      **Density:** 10 du/ac  
**Sector Plan:** West City      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with residential uses under R-1 and RP-1 zoning. There is a community recreation center to the southwest at the corner of Morrell Rd. and Deane Hill Dr., zoned OS-2. The apartments on the northeast corner of that intersection are zoned RP-1 at a density of 6-14 du/ac.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 7144 Deane Hill Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential) at <6 du/ac  
**Former Zoning:**  
**Requested Zoning:** RP-1 (Planned Residential) @ <10 du/ac  
**Previous Requests:** 1-E-14-RZ/1-E-14-PA/1-G-14-SP  
**Extension of Zone:** No  
**History of Zoning:** MDR and HDR were denied for these parcels in 2013 and 2014.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)

Requested Plan Category: MDR (Medium Density Residential)

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): DENY MDR (Medium Density Residential) One Year Plan designation for the site.

Staff Recomm. (Full): Approval of medium density residential uses for this site would be a spot plan amendment in an area surrounded by low density residential uses. The sector plan also proposes low density residential uses for this site and the surrounding area.

Comments: Both subject parcels were recommended by MPC for MDR uses and RP-1 zoning at a density of up to 10 du/ac in 2013, but then were withdrawn at City Council prior to final action. In 2014, a request was filed for high density residential with an RP-1 density of up to 25 du/ac. Staff recommended denial and MPC recommended approval of MDR for the site, but the request failed at City Council for lack of a motion, leaving the property designated as LDR. Staff maintains the same position from 2013 and 2014 that this location is not appropriate for medium or high density residential development, and the RP-1 density should be limited to 6 du/ac, which is the maximum allowed under the current LDR plan designation.

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan appropriately designates this site for low density residential uses, consistent with the surrounding area. There is no medium density residential development or zoning along Deane Hill Dr. between Morrell Rd. and Lockett Rd., with the exception of the developing area south of Deane Hill Shopping Center, on the west side of Wellsley Park Rd., which has alternate access to Gleason Dr. The zoning along this section of Deane Hill Dr. includes either R-1 (Low Density Residential) or RP-1 (Planned Residential) at less than 6 du/ac, consistent with the low density residential plan designation within the City Limits of Knoxville.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been made in the vicinity of this site. The development pattern for this and surrounding sites is well established as low density residential.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There has been no change in public policy that warrants the requested amendment to the One Year Plan.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available that would reveal the need for a plan amendment at this particular location.

Action: Denied

Meeting Date: 10/13/2016

Details of Action:

Summary of Action: DENY MDR (Medium Density Residential) One Year Plan designation for the site.

Date of Approval:                      Date of Denial: 10/13/2016

Postponements:

Date of Withdrawal:                      Withdrawn prior to publication?:  Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 11/8/2016

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:** 11/22/2016

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**